

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

DERRICK BROWN, Individually and on
behalf of all others similarly situated,

PLAINTIFF,

V.

KELLER LENKNER, LLC and
THE DAMPIER LAW FIRM, P.C.,
DEFENDANTS

Case No. 1:18-cv-12423

NOTICE OF VOLUNTARY DISMISSAL PURSUANT TO FED. R. CIV. P. 41

PLEASE TAKE NOTICE that Plaintiff Derrick Brown (“Plaintiff”), by and through his undersigned counsel, pursuant to Fed. R. Civ. P. 41(a)(1), hereby voluntarily dismisses all claims in this action without prejudice as to Defendants Keller Lenkner, LLC and The Dampier Law Firm, P.C. (“Defendants”). In support of the instant notice, Plaintiff states as follows:

1. Plaintiff filed the instant action on November 20, 2018. (Docket. 1.)
2. Fed. R. Civ. P. 41(a)(1) provides, in relevant part, that a “plaintiff may dismiss an action without court order by filing a notice of dismissal before the opposing party serves either an answer or a motion for summary judgment.”
3. Defendant has neither served an answer nor a motion for summary judgment in this action.
4. There is no certified class or class proposed to be certified for purposes of settlement.

5. The provisions of Fed.R.Civ.P. 23(e), 23.1(c), 23.2, and 66 do not otherwise apply to this case or this notice.

6. Accordingly, this action may be dismissed without prejudice and without an Order of the Court.

February 13, 2019

Respectfully submitted

Derrick Brown,
By Counsel,
/s/ Michael A. Borrelli
Michael A. Borrelli, Esq./BBO# 634352
129 Fisher Ave.
Brookline, MA 02445-5796
(617) 730-7025
Fax (617) 730-7170
lawyer2@earthlink.net

CERTIFICATE OF SERVICE

I, Michael A. Borrelli, Esq., hereby certify that on February 13, 2019, I served the above and foregoing ***Notice of Voluntary Dismissal Pursuant to Fed. R. Civ. P. 41***, by causing true and accurate copies of such paper to be filed and served on all counsel of record via the Court's CM/ECF electronic filing system.

/s/ Michael A. Borrelli, Esq.

